

## **REMARKS**

### **Status of the Application**

Claims 11, 13, 15, and 56-65 are pending. Claims 56-60 and 63-65 have been withdrawn. Claims 11, 13, 15, and 56-65 have been amended. Claim 11 is independent. The amendments to the claims are supported by the application as filed and therefore do not add new matter. Accordingly, entry of the amendments and the new claims is respectfully requested. The amendments are submitted in accordance with 37 CFR 41.39(b)(1) in response to the Examiner's Answer to Appeal Brief mailed on January 25, 2010 which presented a new ground of rejection and an option to reopen prosecution. This amendment constitutes a request to withdraw the previously filed appeal.

Applicants reserve the right to pursue the subject matter of previously pending claims in this or a future application without prejudice.

### **Claim Rejections – 35 U.S.C. § 101**

Claims 11, 13, 15, 61, and 62 were rejected under 35 U.S.C. § 101. The claims have been amended to move prosecution forward. Applicants believe that because the currently pending claims are directed to an apparatus, the rejections are moot. Applicants reserve the right to pursue the previously pending claims in this or a future application without prejudice.

### **Claim Rejections – 35 U.S.C. § 103**

Claims 11, 13, 15, 61, and 62 were rejected under 35 U.S.C. § 103. These rejections should be withdrawn because there has been no *prima facie* showing of unpatentability of any of these claims. In particular, there has been no showing that the limitations of the independent claim 11 of “*selecting at least two event outcomes of two respective events on which said client is authorized to wager*” and of “*each of the plurality of event outcomes has a respective minimum required wager associated therewith*” are taught or suggested by the prior art. Further, the cited prior art teaches away from the limitation of “*selecting at least two event outcomes of two respective events on which said client is authorized to wager*” and “*displaying to said client a list comprising only said at least two event outcomes.*”

Still further, limitations of the dependent claims have been ignored and therefore there cannot possibly have been a *prima facie* showing of unpatentability of the dependent claims. In particular, the limitations of claim 61 have never been addressed.

The rejections are therefore improper and should be withdrawn.

#### Authorization for Email Communication

Recognizing that Internet communications are not secure, Applicant hereby authorizes the USPTO to communicate with any authorized representative concerning any subject matter of this application by electronic mail. Applicant understands that a copy of these communications will be made of record in the application file.

#### Conclusion

In view of the amendments and remarks, Applicant respectfully submits that the claims are in condition for allowance. Applicant requests that the application be passed to issue in due course. The Examiner is urged to telephone or email Applicant's undersigned representative if it will advance the prosecution of this application, or with any suggestion to resolve any condition that would impede allowance. In the event that further extension of time is required, Applicant petitions for that extension of time required to make this reply timely. Kindly charge any additional fee, or credit any surplus, to Deposit Account No. 50-3938.

Respectfully submitted,

Dated: March 24, 2010

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